

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-11, 13-23 and 25-59 are pending in the application, with 1, 11, 23, 32 and 45 being the independent claims. Claims 12 and 24 are cancelled without prejudice to or disclaimer of the subject matter therein. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 112

Claims 1-31 and 45-59 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

With respect to claims 1-10, 58 and 59, the Examiner stated that the language "both of the other axles" is unclear because there are "three or more axles" recited in the claim and the language "both of the other axles" does not account for the case of more than three axles.

Independent claim 1 has been amended to include the language "all the other axles" to thereby account for the case of more than three axles. This change renders independent claim 1 clear and definite. Claims 2-10, 58 and 59, which depend from claim 1 are thereby also clear and definite. Accordingly, Applicant respectfully requests that the Examiner withdraw this rejection of claims 1-10, 58 and 59.

With respect to independent claims 11, 23 and 45, first the Examiner stated that certain element numbers appear to be incorrect because the designations indicated correspond with only one embodiment. The Examiner then suggested that the element labels be deleted to overcome any misunderstanding as to reference to a specific embodiment. By the above amendment, Applicant has complied with the Examiner's suggestion and removed the element numbers from the claims. Accordingly, Applicant respectfully requests that the Examiner withdraw this rejection of claims 11, 23 and 45.

Second, the Examiner raised general issues of clarity with claims 11-31 and 45-59. The Examiner stated that these claims were unclear because the claim language "input member," "output member," and "one axle synchronously interlocking with another axle" was not in the specification. The foregoing amendment deletes the language "input member," "output member," and "one axle synchronously interlocking with another axle" and replaces it with language that corresponds closely to the specification. Accordingly, claims 11-31 and 45-59 are clear and definite. Applicant respectfully requests that the Examiner withdraw this rejection of claims 11-31 and 45-59.

With respect to claims 15 and 18, the Examiner stated that it is unknown how two axles can interlock with three members, the input member and said output member. Claim 15 has been amended to include the language "wherein the two axles other than said steering axle respectively synchronously interlock with said input shaft, said output gear and said output shaft." Claim 18 has been amended to include the language "wherein the two axles other than said steering axle respectively interlock with said input shaft and the output gear." Referring to Figure 9, when clutch slider '88 locks shafts 82

and 87, the two axles other than the steering axle synchronously interlock with the input shaft 82, the output gear 86 and the output shaft 87. Accordingly, claims 15 and 18 are clear and definite. Applicant respectfully requests that the Examiner withdraw this rejection of claims 15 and 18.

With respect to claim 27, the Examiner stated that it is unknown to her how "the other two axles" can interlock with one "other output member." Claim 27 has been amended to include the language "wherein the two axles other than said steering axle synchronously interlock with the other output shaft." Referring to Figure 13, axles 8 and 25 synchronously interlock with output shaft 71. Accordingly, claim 27 is clear and definite. Accordingly, Applicant respectfully requests that the Examiner withdraw this rejection of claim 27.

With respect to claim 37, the Examiner stated that "members" should be "member." The foregoing amendment to claim 37 makes this change. Accordingly, claim 37 is clear and definite. Applicant respectfully requests that the Examiner withdraw this rejection of claim 37.

Rejections under 35 U.S.C. § 102

Claims 11-18, 23-27, 32-37 and 45-51 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,085,853 to Wernick ("Wernick").

Independent claim 11 has been amended and includes the language "wherein said power dividing means is a differential gear unit including an input shaft, an output gear and an output shaft." Wernick discloses a clutch power dividing means (42). However, clutch power dividing means (42) does not include an output gear. Accordingly, for at least this reason, Wernick fails to disclose each and every feature of independent claim

11. Applicant thereby respectfully requests that the Examiner withdraw this rejection of claim 11.

Claim 12 has been cancelled. Claims 13-22 depend from and add additional features to claim 11. Accordingly, claims 13-22 are allowable at least for the reasons set forth above with respect to claim 11. Applicant thereby respectfully requests that the Examiner withdraw the rejection of claims 12-22.

Independent claim 23 has been amended to include the language "wherein said power dividing means is a differential gear unit including an input gear and a pair of output shafts provided thereon with respective differential side gears." Wernick discloses power dividing means (42) with output shafts (11) and (12), but fails to disclose differential side gears on output shafts (11) and (12). Accordingly, for at least this reason, Wernick fails to disclose each and every feature of independent claim 23. Applicant thereby respectfully requests that the Examiner withdraw this rejection of claim 23.

Claim 24 has been cancelled. Claims 25-31 depend from and add additional features to claim 23. Accordingly, claims 25-31 are allowable at least for the reasons set forth above with respect to claim 23. Applicant thereby respectfully requests that the Examiner withdraw the rejection of claims 24-31.

Independent claim 32 calls for "first and second transmission members . . . power dividing means interposed between said pair of transmission members . . . while said power dividing means permits a difference of rotary speed between said first and second transmission members." Wernick discloses first (6) and second (11) transmission members with a power dividing means (42) interposed between the pair of members.

However, power dividing means (42) fails to permit a difference of rotary speed between first (6) and second (11) transmission members. Rather, power dividing means (42) permits a difference of rotary speed between second transmission member (11) and universal-joint shaft (12). Accordingly, for at least this reason, Wernick fails to disclose each and every feature of independent claim 32. Applicant thereby respectfully requests that the Examiner withdraw this rejection of claim 32.

Claims 32-44 depend from and add additional features to claim 32. Accordingly, claims 32-44 are allowable at least for the reasons set forth above with respect to claim 32. Applicant thereby respectfully requests that the Examiner withdraw the rejection of claims 32-44.

Independent claim 45 has been amended to include the language "wherein said power dividing means is a differential gear unit including an input gear and a pair of output shafts provided thereon with respective differential side gears." Wernick discloses power dividing means (42) with output shafts (11) and (12), but fails to disclose differential side gears on output shafts (11) and (12). Accordingly, for at least this reason, Wernick fails to disclose each and every feature of independent claim 45. Applicant thereby respectfully requests that the Examiner withdraw this rejection of claim 45.

Claims 46-57 depend from and add additional features to claim 45. Accordingly, claims 46-57 are allowable at least for the reasons set forth above with respect to claim 45. Applicant thereby respectfully requests that the Examiner withdraw the rejection of claims 46-57.

Rejections under 35 U.S.C. § 103

Claims 19-22, 28-31, 39, 40 and 52-57 have been rejected under 35 U.S.C. § 103(a). According to the Examiner, these claims are unpatentable over Wernick in view of U.S. Patent No. 4,462,271 to Steig, or over Wernick in view of U.S. Patent No. 5,848,664 to Kaspar ("Kaspar"), or over Wernick in view of Kaspar and in further view of U.S. Patent No. 4,639,008 to Krettenauer. None of the additional references cited here provide the missing features described above with respect to independent claims 11, 23, 32 and 45. Accordingly, even if it were obvious to combine these references, doing so would not result in the claimed invention. Applicant thereby respectfully requests that the Examiner withdraw this rejection.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully
requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read 'ALF', with a long horizontal flourish extending to the right.

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